

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

2001 DEC 19 A 11:01

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION) DOCKET NO. W-01737A-01-0662
OF NEW RIVER UTILITY COMPANY, INC.)
FOR A RATE INCREASE)

STAFF'S MOTION TO EXTEND TIME DUE TO APPLICANT'S
FAILURE TO PROVIDE PUBLIC NOTICE OF HEARING
ON THE APPLICATION FOR A RATE INCREASE

Staff for the Utilities Division of the Arizona Corporation Commission ("Staff") hereby respectfully submits this motion to extend the time and continue the deadline for filing motions to intervene and all corresponding due dates for testimony and the hearing date, if needed, for the reasons stated below.

Pursuant to Arizona Administrative Code (A.A.C.) R14-3-109(B), "publication of notice of hearings shall be as required by law or as ordered by the Commission in a particular proceeding."

In the procedural order ("PO") docketed on September 20, 2001 the Applicant was ordered to mail public notice to each of its customers a copy of the notice included in the PO by November 9, 2001.

As of December 19, 2001 no certification of mailing has been filed with docket on this case.

Staff believes that the hearing cannot go forward until adequate notice has been sent to customers. Without such notice, no proof exists that notice of the hearing has been given.


Arizona Corporation Commission
DOCKETED

DEC 19 2001

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| DOCKETED BY | <i>msc</i> |
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1 Therefore, customers will not have the opportunity to intervene if they desire. Staff believes that
2 such would not be in the public interest and respectfully requests an extension of time for that
3 reason.

4 RESPECTFULLY SUBMITTED this 19th day of December, 2001.

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The original and ten copies of the
foregoing filed this 19th day of
December, 2001, with:

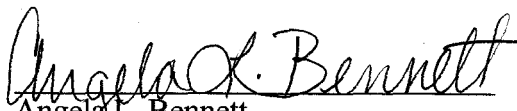
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COPIES of the foregoing
mailed this 19th day of
December, 2001 to:

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